

**UNITED STATES COURT OF INTERNATIONAL TRADE  
1 FEDERAL PLAZA  
NEW YORK, NY 10278-0001**

**HOW TO REQUEST JUDICIAL REVIEW OF A FINAL DETERMINATION  
BY THE UNITED STATES DEPARTMENT OF LABOR**

Pursuant to Title 28 U.S.C. § 1581(d), the “United States Court of International Trade [has] exclusive jurisdiction of any civil action commenced to review any final determination of the Secretary of Labor under section 223 of the Trade Act of 1974 with respect to the eligibility of workers for adjustment assistance under such Act.”

The Trade Adjustment Assistance (TAA) program is a federal entitlement program established under the Trade Act of 1974, as amended. The TAA program is administered by the Employment and Training Administration of the U.S. Department of Labor. See the Web Site of the U.S. Department of Labor (<http://www.doleta.gov>) for further information about its program. You may contact them by telephone (202) 693-3555 or write to the U.S. Department of Labor, Employment and Training Administration, Division of Trade Adjustment Assistance, Room C5311, 200 Constitution Ave., NW, Washington, DC 20210.

Workers whose petitions for TAA are denied by the U.S. Department of Labor may request administrative reconsideration of the U.S. Department of Labor’s finding (within 30 days after publication of that determination in the *Federal Register*) by contacting the U.S. Department of Labor. **In the alternative**, workers may file an action seeking judicial review of the U.S. Department of Labor’s negative determination (within 60 days of the publication of that determination in the *Federal Register*) by contacting the United States Court of International Trade, Office of the Clerk, at One Federal Plaza, New York, NY 10278-0001, (212) 264-2031.

If a petitioner has sought administrative reconsideration before the U.S. Department of Labor and the U.S. Department of Labor makes a negative determination or redetermination, the petitioner may file an action seeking judicial review of the U.S. Department of Labor’s negative determination (within 60 days of the publication of that determination in the *Federal Register*) by contacting the United States Court of International Trade.

Therefore, an action may be filed in the United States Court of International Trade either after the U.S. Department of Labor’s negative determination on the initial petition, or after the U.S. Department of Labor’s negative determination on its reconsideration.

See page 2 for instructions on filing an action to request judicial review by the United States Court of International Trade of a final determination by the United States Department of Labor:

Prepare a “complaint” or letter which includes:

- a.) your name (and that of any other claimants), address, telephone number;
- b.) the name of your employer (or former employer) and its address;
- c.) the TAA number assigned;
- d.) a brief statement that says you wish to appeal the determination by the U.S. Department of Labor, and why you believe its decision was in error;
- e.) copies of any decisions by the U.S. Department of Labor (if you have them);
- f.) the date, next to your original signature;
- g.) a check for the required filing fee of \$25.00; but
- h.) **DO NOT INCLUDE PERSONAL IDENTIFICATION INFORMATION (YOUR SOCIAL SECURITY NUMBER OR DATE OF BIRTH).**

When filing an action with the United States Court of International Trade, an individual claimant may act *pro se*, that is, on one’s own behalf without the assistance of counsel. However, the Court encourages claimants to be represented by counsel. The U.S. Department of Labor is represented by the United States Department of Justice. Any attorney who wishes to file documents with or otherwise practice before the court must first be admitted to practice before the Court.

If a petitioner is unable to afford counsel, he/she may make a motion for court appointed counsel. If after filing an action, a petitioner makes a motion for court appointed counsel and that motion is allowed by the Court, the attorney appointed will represent the petitioner at no cost to the petitioner.

When filing any documents with the Court, provide an original and one copy. Please note that all documents are filed with the Court as of the date of receipt. However, if those documents are mailed certified or registered mail, return receipt requested, the Court will deem them filed as of the date of the postmark on the mailing envelope.

If a petitioner is *pro se* when filing his/her original complaint or letter of appeal, the Office of the Clerk will “make service” upon the U.S. Department of Labor and U.S. Department of Labor in order to notify them of the commencement of the action. With respect to all filings with the Court thereafter, however, it will be the responsibility of the petitioner to send copies (of whatever is filed with the Court) to counsel at the United States Department of Justice, who is representing the United States Department of Labor.

For more information about the Court, please see the Web Site maintained by The United States Court of International Trade (<http://www.cit.uscourts.gov>) on which all Court Rules and Court Forms are posted. There also is posted an “Attorneys’ Information Page” that includes the Application for Admission to Practice before the United States Court of International Trade.